

REMARKS

Amendments

Claim 1 is amended to recite that the at least one mono-, oligo- or polymer of formula I is not a regioregular poly(3-alkylthiophene). This amendment is clearly supported by the disclosure at page 2, lines 14-21 where it is acknowledged that regioregular poly(3-alkylthiophene) are in the prior art. Thus, this amendment corrects an obvious error in claim language. See also *In re Johnson et al.*, 558 F.2d 1008, 194 USPQ 187 (CCPA 1977).

Claims 29 and 30 are amended to delete "component or", thereby correcting an obvious error. Similarly, claims 37 and 38 are amended to depend from claim 2, rather than claim 1. Claim 2 provides express antecedent basis for formulas Ib and Ic.

New claim 39 is directed to subformulas for group X. See, e.g., pages 15-16.

Withdrawn Claims

Applicants note that claims 8, 9, 12-23, 27, 28, 31, 32 and 35-38 have been withdrawn from consideration. With the filing of this Reply and the RCE, applicants assume prosecution will reopen and proceed in accordance with MPEP §803.02.

Rejection under 35 USC §112, second paragraph

As noted above, claims 29 and 30 are amended to delete "component." Withdrawal of the rejection is respectfully requested.

Rejection under 35 USC §102(b) in view of Bao et al. (US 6,107,117)


Claims 1-7, 10, 11, 24-26, and 33-34 are rejected as allegedly being anticipated in view of the Bao et al. (US 6,107,117). Bao et al. discloses (3-alkylthiophene)polymer, specifically regioregular poly(3-hexyl)thiophene, poly(3-octyl)thiophene and poly(3-dodecyl)thiophene. See Figures 1 and 2, the Example, and claims 4 and 11. As noted above, regioregular poly(3-alkyl)thiophene are excluded from claim 1 by proviso clause. Thus, Bao et al. does not anticipate applicants' claim 1.

Moreover, the rejection does not explain how Bao et al. anticipates the features recited in applicants' dependent claims. Compare, for example, claims 2, 4, and 12.

In any event, Bao et al. clearly fails to anticipate applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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